

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANCIS C. MURILLO, BRAYAN DE LA
CRUZ CUAHUTZIHUA, and JESUS MANUEL
SAUCEEDA PEREA,

Defendants.

8:23CR62

ORDER

This matter is before the court on defendant Brayan De La Cruz Cuahutzihua's Motion to Continue Trial [96]. Counsel needs additional time to conduct plea negotiations. The government and counsel for co-defendant Jesus Manuel Sauceeda Perea have no objection to the continuance. Counsel has been unable to contact Carlos Monzon, attorney for Francis Murillo. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [96] is granted, as follows:

1. The jury trial, **for all defendants**, now set for January 29, 2024, is continued to **March 25, 2024**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and March 25, 2024**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. A party may object to this order by filing an "Objection to Magistrate Judge's Order" no later than **March 23, 2024**. The objecting party must comply with all requirements of NECrimR 59.2.

DATED: January 16, 2024.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge